



September 9, 2015

1516 Ninth Street
Art Rosenfeld Hearing Room – First Floor
Sacramento, California 95814
10 a.m.
(Wheelchair Accessible)

THE COMMISSION WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING ITEMS:

1. CONSENT CALENDAR. (Items on the Consent Calendar will be taken up and voted on as a group. A commissioner may request that an item be moved and discussed later in the meeting.)
 - a. BEVILACQUA-KNIGHT, INC. Proposed resolution approving Agreement 600-15-007 with Bevilacqua-Knight, Inc. (BKI) for a one year membership in the California Fuel Cell Partnership (CaFCP) in the amount of \$87,800. BKI facilitates and coordinates the efforts of the CaFCP, including operational, financial, and project management. As a member, the Energy Commission will have a seat on the CaFCP's Steering Committee and will participate in the Working Group, Station Implementation Group, and other various committees. (ARFVTP funding) Contact: Jennifer Masterson.
 - b. PETROLEUM MARKET ADVISORY COMMITTEE DATA SUBSCRIPTIONS. Proposed resolution approving two data subscriptions for the Petroleum Market Advisory Committee totaling \$32,375: Oil Price Information Services (\$10,000) and Port Import Export Reporting Service (\$22,375). These subscriptions will allow the Committee to research price spikes in California by providing exact pricing at retail and terminal locations, as well as import and export movement of petroleum products. These subscriptions cover the calendar year 2015 only. (ERPA funding) Contact: Ysbrand van der Werf.
 - c. AMERICAN COUNCIL FOR AN ENERGY EFFICIENT ECONOMY. Possible approval of a \$4,999 co-sponsorship and use of the Energy Commission's name and logo for the 2015 Behavior, Energy and Climate Change Conference sponsored by California Institute for Energy and Environment, the University of California Office of the President, the Precourt Energy Efficiency Center, Stanford University, and the American Council for an Energy Efficient Economy. The conference presents research in organizational behavior and decision-making, and using that knowledge to accelerate transition to an energy-efficient and low-carbon economy. (ERPA funding) Contact: Laurie ten Hope.
 - d. LINDE LLC. Proposed resolution approving Agreement ARV-15-007 with Linde LLC for a \$300,000 grant to cover operation and maintenance costs for the existing hydrogen refueling equipment and gather data about the equipment. The

station is located at 26572 Junipero Serra Road, San Juan Capistrano, CA 92675.
(ARFVTP funding) Contact: Sarah Williams.

2. ENERGY COMMISSION COMMITTEE APPOINTMENTS. Possible approval of appointments to the Energy Commission's Standing Committees and Siting Case Committees. Contact: Kevin Barker. (5 minutes)
3. HEARING AND POSSIBLE ADOPTION OF A NOTICE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION AND AMENDMENTS TO THE SITING AND PROCESS AND PROCEDURE REGULATIONS (15-OIR-01). Proposed updates to the Commission's siting and process and procedure regulations, located primarily in the 1000, 1100, 1200 and 1700 sections of Title 20 of the California Code of Regulations. The updates cover the Commission's internal process, document processing, hearing procedures and other areas of administrative function. The proposed language changes resulted from a multifaceted effort by staff to ensure efficient process and effective public engagement. This adoption hearing comes after a 64-day comment period on the original proposed language and 19-day public comment period on the first set of proposed changes and a 17-day comment period on the second set of proposed changes. Contact: Jared Babula. (Staff presentation: 15 minutes)
 - a. NOTICE OF EXEMPTION. Proposed resolution adopting the Notice of Exemption (Cal. Code Regs., tit. 14, section 15060(c)(3)).
 - b. AMENDMENTS TO THE SITING AND PROCESS AND PROCEDURE REGULATIONS (15-OIR-01). Proposed resolution adopting amendments to the siting and process and procedure regulations in Title 20 of the California Code of Regulations.
4. PALEN SOLAR POWER PROJECT (09-AFC-07C) PETITION TO EXTEND DEADLINE. Commission consideration and possible action on a petition to extend the deadline for the start of construction of the Palen Solar Power Project, for one additional year, from December 15, 2015 to December 15, 2016. The extension would afford the project owner the opportunity to seek approval of a new, yet to be filed, major amendment to modify the project to use Abengoa's parabolic trough with molten salt storage technology. Contact: Leonidas Payne. (Staff presentation: 10 minutes)
 - a. Possible closed session deliberation on the above described petition to extend. [Government Code Section 11126(c)(3)].
5. SANTA CLARA SC-1 DATA CENTER (11-SPPE-01). Commission consideration of the project owner's request for approval of project modification by adding 27 MW of back-up generation. The Commission may approve the request, appoint a committee to make a recommendation, or direct the project owner to work with the local jurisdictions for CEQA review and then return to the commission for approval. Contact: Jeff Ogata. (Staff presentation: 5 minutes)
6. CALIFORNIA CLEAN ENERGY JOBS ACT (PROPOSITION 39). (Information Item) Provide a status update of the California Clean Energy Jobs Act (Proposition 39) implementation, program status and accomplishments. Contact: Armand Angulo and Elizabeth Shirakh. (Staff presentation: 15 minutes)

7. **EXISTING BUILDINGS ENERGY EFFICIENCY ACTION PLAN.** Possible approval and adoption of the Final Existing Buildings Energy Efficiency Action Plan, which proposes a 10-year roadmap for statewide agencies to motivate private funding and accelerate energy efficiency improvements in the state's existing buildings. The Draft Action Plan was published on March 6, 2015. A series of workshops were held as part of the 2015 IEPR development process to gather stakeholder comments. The proposed final version incorporates relevant comments. Contact: David Ismailyan. (Staff presentation: 10 minutes)
8. **MODERNIZED APPLIANCE EFFICIENCY DATABASE SYSTEM.** Staff presentation on the Modernized Appliance Efficiency Database System (MAEDBS), which was deployed on August 6, 2015. All appliances regulated under Title 20 must be certified to the California Energy Commission under MAEDBS. The Appliance Efficiency Program requires that the manufacturers of regulated appliances meet state and federal standards for energy and water efficiency. To do this, the appliance efficiency program requires manufacturers to certify the performance of their appliances to the Energy Commission to demonstrate compliance with the standards and make this information available to the public. Contact: Christine Awtrey. (Staff presentation: 10 minutes)
9. **CITY OF PALO ALTO.** Proposed resolution approving the City of Palo Alto's locally adopted building energy standards to require greater energy efficiency than the 2013 Building Energy Efficiency Standards. Contact: Ingrid Neumann. (Staff presentation: 5 minutes)
10. **NONRESIDENTIAL COMPLIANCE OPTION.** Possible approval of a compliance option for refrigerant economizers to be used in lieu of water economizers for computer rooms under the Building Energy Efficiency Standards. Contact: Mark Alatorre. (Staff presentation: 5 minutes)
11. **CITY OF EUREKA.** Proposed resolution approving Agreement 003-15-ECD for a \$1,290,000 loan at one percent interest to the City of Eureka (City) for replacing an existing old digester gas powered 220 kW cogeneration system with a new 242 kW digester gas cogeneration system at the City's Elk River Wastewater Treatment Plant. On completion, the project will reduce about 1,065,000 kWh of grid electricity consumption annually saving the City about \$89,000 in utility costs. In addition, the project will reduce about 367 tons of carbon dioxide equivalent (CO₂e) GHG emissions every year. Based on the loan amount, the simple payback is 14.5 years. (ECAA Program funding) Contact: Shahid Chaudhry. (Staff presentation: 5 minutes)
12. **DURHAM UNIFIED SCHOOL DISTRICT.** Proposed resolution approving Agreement 003-15-ECG with Durham Unified School District for a \$2,000,000 loan at zero percent interest to install a total of 575.1 kilowatt of solar PV. The solar PV project is estimated to produce a total of 917,012 kilowatt-hours annually, saving approximately \$175,288 for Durham Unified School District. The simple payback period is 11.4 years based on the loan amount. (ECAA-Ed funding) Contact: Cheng Moua. (Staff presentation: 5 minutes)

13. LAWRENCE BERKELEY NATIONAL LABORATORY. Proposed resolution approving Agreement 800-15-001 with the Department of Energy's Lawrence Berkeley National Laboratory for a \$250,000 contract to develop regionally specific plug-in electric vehicle (PEV) load shapes to better represent PEV charging electricity demand in the Commission's California Energy Demand forecast. (ERPA funding) Contact: Tobias Muench. (Staff presentation: 5 minutes)
14. CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE. Proposed resolution approving Agreement 600-15-003 with the California Department of Food and Agriculture, Division of Measurement Standards for a \$100,000 Interagency Agreement to provide technical staff to implement the California Hydrogen Station Equipment Performance (HyStEP) Implementation Project (HIP) in collaboration with staff at the California Air Resources Board. Following the California HIP, a schedule will be designed and formalized to direct deployment of the HyStEP device for field validation and for the commissioning of hydrogen refueling stations. (ARFVTP Funding) Contact: Elyse Cheung-Sutton. (Staff presentation: 5 minutes)
15. CALSTART, INC. Proposed resolution approving Agreement ARV-15-005 with CALSTART, Inc. for a \$2,982,548 grant to conduct a hydrogen fuel cell shuttle bus demonstration project. The demonstration will occur in and around disadvantaged communities in Los Angeles and the Coachella Valley. (ARFVTP funding) Contact: Larry Rillera. (Staff presentation: 5 minutes)
16. **Minutes:** Possible approval of the August 12, 2015, Business Meeting Minutes.
17. **Lead Commissioner or Presiding Member Reports.** A Lead Commissioner on a policy matter may report to the Commission on the matter and discussion may follow. A Presiding Member on a delegated committee may report to the Commission on the matter and discussion may follow.
18. **Chief Counsel's Report:** The Energy Commission may adjourn to closed session with its legal counsel [Government Code Section 11126(e)] to discuss any of the following matters to which the Energy Commission is a party:
 - a. *In the Matter of U.S. Department of Energy (High Level Waste Repository)*, (Atomic Safety Licensing Board, CAB-04, 63-001-HLW).
 - b. *Communities for a Better Environment and Center for Biological Diversity v. Energy Commission* (Court of Appeal, First Appellate District, # A141299).
 - c. *Energy Commission v. SoloPower, Inc. and SPower, LLC*. (Sacramento County Superior Court # 34-2013-00154569)

The Energy Commission may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation; or that constitute a significant exposure to litigation against the Commission.
19. **Executive Director's Report.**
20. **Public Adviser's Report.**
21. **Public Comment:** People may speak up to three minutes on any matter concerning the Energy Commission, with the exception of items appearing elsewhere on this agenda or items related to pending adjudicative (certification or enforcement) proceedings.

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Adjournment of Hearings and Meetings: Depending upon time available and the orderly management of proceedings, the Commission may order adjournment (recess or postponement) of any noticed hearing or meeting, to be continued to the next day, another specific date or time, or to the next business meeting, as appropriate. Any such adjournment will be noticed at the time the order of adjournment is made (Government Code §§11128.5, 11129).